

DEC 03 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Glenn G. Strawder

Serial No.: 09/865,696

Filed: 05/29/2001

For: A Method For Monitoring Radiology Machines, Operators and Examinations

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Honorable Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the office action dated 11/22/2009, the Examiner is correct as to the problems with the claims. Therefore, replace page 1, page 2, page 3 and page 4 in the claims appendix with the attached corrected page 1, page 2, page 3 and page 4.

Claim 93 has been cancelled, therefore, replace page 7 (which is Status of Claims) of the Brief with the attached corrected page 7. Further replace pages 28 to 33 of the Brief with the attached corrected pages 28 to 32.

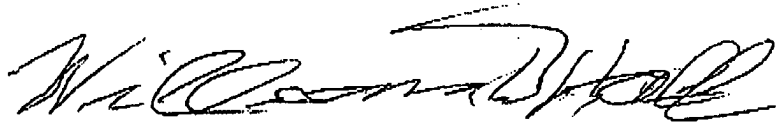
Applicant, however, does not agree with the Examiner's request that Applicant remove the "Background of the Summary of Claimed Subject Matter". In an earlier "Notification of Non-Compliant Appeal Brief" by Patent Appeals Specialist Cassandra Downs, applicant was informed by Ms. Downs that all of the nine new headings were proper. The rules provide that an Applicant have certain headings in a certain order but, the rules do not restrict an Applicant from adding

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new headings to explain and defend his or her case.

Evidence Appendix pages 1 to 4 (Applicant's Declaration) should remain in the Brief.

Respectfully,



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